



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,659	01/22/2001	Richard N. Savage	A-67736-1/AJT/MSS	2896
7590	12/12/2005			
Maria S. Swiatek FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP Four Embarcadero Center, Suite 3400 San Francisco, CA 94111-4187			EXAMINER FOX, CHARLES A	
			ART UNIT	PAPER NUMBER
			3652	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



**Office Action Summary**

Application No.

09/767,659

Applicant(s)

SAVAGE ET AL.

Examiner

Charles A. Fox

Art Unit

3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 19-24, 26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-24, 26 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |



***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 19 -24,26 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claim 19 line 8 where a semiconductor process chamber is said to be in the load lock, this language is indefinite. Is the applicant claiming a process chamber attached to each load lock as described in the specification or an actual process chamber within the load lock. If the former it is redundant as the claim already provides a load lock for each process chamber in line 5. Deleting the limitation of a process chamber in the load lock will render moot this rejection.

Regarding line 10 there is a lack of antecedent basis for "said process chamber" as previously there are only pluralities of process chambers mentioned. Even the section of line 8 mentioned above refers to multiple process chambers as one is provided at each load lock. Changing line 10 to read " from one of said process chambers to said...." will render this rejection moot.

Regarding claim 20 line 3 should also be changed to read "evacuating said respective loadlock chamber..." as above only a plurality of load lock chambers are mentioned in the claims and it is indefinite as to which said load lock the applicant is referring. Claim 21 has a similar problem at line 2 with antecedent basis for said load lock. It is also indefinite if each load lock has a cooling plate or just the one referenced



Art Unit: 3652

above. Changing said load lock chamber to “ each of said load lock chambers” will render this rejection moot.

Regarding claim 22 line 4 it is indefinite as to what process chamber the wafer is being moved to as one is provided in each load lock as well as one being attached to each load lock. Clarification is required. Also in claim 22 line 6 there is no antecedent basis for “said semiconductor wafer chamber”.

Regarding claim 23 line 4 again it is unclear as to which process chamber the wafer is being moved to. Is it the one in the load lock or the one attached to the load lock? Clarification is required.

Regarding claim 24 line 11 again a plurality of process chambers are previously presented in the claim but only one is called out at line 11. The proper way of singling out one of a plurality is “ from one of said wafer process chambers”.

Claims 26 and 27 are indefinite as they are dependent upon claims which are held as being indefinite. Once the claims from which they depend are corrected the rejections of claims 26 and 27 will be withdrawn.

### ***Response to Amendment***

The amendments filed on September 26, 2005 have been entered into the record.

### ***Allowable Subject Matter***

Claims 19 and 24 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action. Both claims have the limitation of moving a processed and an unprocessed wafer from a



Art Unit: 3652

process chamber to a load lock. This limitation is not taught or suggested by the closest prior art of Suda et al. or Tepman.

***Response to Arguments***

Applicant's arguments with respect to claims 19-24,26 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles A. Fox whose telephone number is 571-272-6923. The examiner can normally be reached between 7:00-4:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached at 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Charles A. Fox 12-8-05*

Charles A. Fox  
Examiner  
Art Unit 3652